

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

<b>CHUKWUMA E. AZUBUKO,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>1:05CV00083</b>
	)	
<b>CHIEF JUDGE WILLIAM YOUNG,</b>	)	
	)	
<b>Defendant.</b>	)	

**O-R-D-E-R**

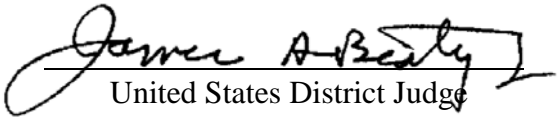
On February 1, 2005, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and notice was served on the parties in this action and a copy was given to the court.

Within the time limitation set forth in the statute, Plaintiff filed a “first motion for reconsideration” which will be constructed as objections to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge’s report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge’s report. The court therefore adopts the Magistrate Judge’s recommendation.

**IT IS THEREFORE ORDERED** that Plaintiff’s complaint [Pleading No. 2] be, and the same is hereby, **DISMISSED** as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B), and that a copy of the recommendation and this Order and Judgment adopting the recommendation be forwarded to the United States District Court for the District of

Massachusetts. A Judgment dismissing this action will be entered contemporaneously with this Order.

  
United States District Judge

Date: June 16, 2005